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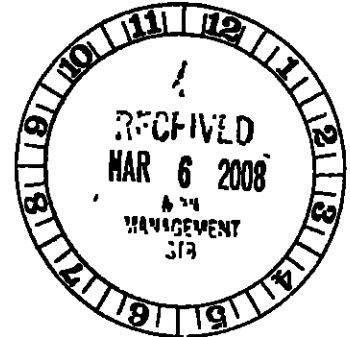
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Office of The Attorney General
State of Connecticut

February 27, 2008



The Honorable Vernon A. Williams, Secretary
Surface Transportation Board
395 K Street, N.W.
Washington, D.C. 20423-0001

Public Use Condition and Interim Trail Use Condition Request

RE Boston & Maine Corporation and Springfield Terminal Railway
Abandonment Over Canal Branch - Southington, Connecticut
STB Docket No. AB 32 (Sub No. 101X)
AB 355 (Sub No. 35X)

Dear Secretary Williams

Enclosed please find this request and ten copies of the same for both a Public Use Condition and a Interim Trail Use Condition filed on behalf of the Connecticut Department of Transportation, which is a state government entity, hereinafter referred to as "proponent". As such, it appears to be subject to the provisions of 49 C.F.R. Sec. 1002.2(e)(1), whereby the Board has waived filing fees for an application or other proceeding which is filed by a state government entity.

Proponent requests issuance of a Public Use Condition as well as an Interim Trail Use Condition rather than an outright abandonment authorization of 0.73+/- miles between milepost 24.00 and 24.73 of the Canal Branch line.

A. Request For Public Use Condition

Proponent asks the STB to find that this property is suitable for other public use, including trail use, and to place the following conditions on the abandonment:

1. An order prohibiting the carrier from disposing of the corridor and its tracks, ties and signal equipment except for public use on reasonable terms. The justification for this condition is the rail corridor in question is an important transportation and utility right-of-way for the State of Connecticut which should not be severed. The corridor terminates directly adjacent to the Route 10 Exit ramps from Interstate-84 in Southington, CT and

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connects directly to an active rail line connecting the cities of New Britain and Hartford. If allowed to acquire the subject rail line and trackage rights necessary on linking any active remaining B&M, ST and/or Pan Am Railways lines, proponent intends to both preserve the existing rail corridor right-of-way for railbanking and preserve the rail corridor or expand transportation assets for other public use purposes. The corridor would make an excellent recreational trail and conversion of the property to trail use is in accordance with local plans. There are a variety of uses currently under review, including restoring freight service and use for a bicycle or recreational trail. However, no decision has yet been made regarding the final use of the right-of-way. In addition, the corridor provides important wildlife habitat and open space and its preservation as a recreational trail is consistent with those purposes. The time period sought is 180 days from the effective date of the abandonment authorization. Proponent needs this much time to prepare a cost estimate, title search and an appraisal report for negotiations with the owner for the purchase of assets and trackage rights..

2. An order barring removal or destruction of potential trail-related structures such as bridges, trestles, culverts and tunnels. The justification for this condition is that these structures have considerable value for recreational trail purposes. The time period requested is 180 days from the effective date of the abandonment authorization for the same reason as indicated above.

B Request For Interim Trail Use Condition

The railroad right-of-way in this proceeding is suitable for railbanking. In addition to the public use conditions sought above, proponent also submits this.

STATE OF WILLINGNESS TO ASSUME FINANCIAL RESPONSIBILITY

In order to establish interim trail use and railbanking under 8(d) of the National Trails System Act, 16 U.S.C. Sec. 1247(d) and 49 CFR Sec. 1152.29, proponent is willing to assume financial responsibility for management of the trail and pay prospective property taxes on the trail. Proponent will also assume agreements, covenants, obligation and liabilities of the owner (excluding any past or existing environmental liabilities) in respect to any underground facilities, drainage culverts, walls, crossings and/or other structures of any nature and description located in whole or in part within the right-of-way.

The property, known as the Canal Branch Line, extends 0.73 +/- miles between railroad milepost 24.00 and railroad milepost 24.73 in Southington, Connecticut, 06489 located in Hartford County, Connecticut. The right-of-way is part of a line of railroad proposed for abandonment in STB Docket No. AB 32 (Sub No. 101X) and AB 355 (Sub No. 35X).

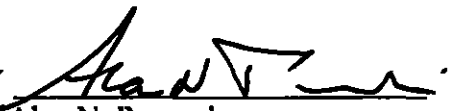
A map depicting the right-of-way is attached.

Proponent acknowledges that use of the right-of-way is subject to the user's continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service.

PROPONENT

CONNECTICUT DEPARTMENT
OF TRANSPORTATION

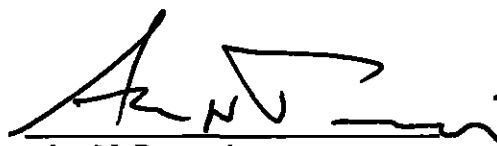
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CERTIFICATE OF SERVICE

I certify that on this 27th day of February, 2008, a copy of the Request For Public Condition and Request for Interim Trail Use was sent by first class mail, postage prepaid to

Michael Q. Geary
Staff Attorney
Pan Am Railways
1700 Iron Horse Park
North Billerica, Massachusetts 01862


Alan N. Ponanski
Assistant Attorney General

